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JHS-1451

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

JOHN HORTON

Plaintiff,

-vs-

ROSS UNIVERSITY SCHOOL OF MEDICINE, et al

Defendants

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: CIVIL ACTION NO.:04-5658 (JAG)
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**NOTICE OF MOTION
FOR SUMMARY JUDGMENT**

TO: Mr. John Horton
P.O. Box 7
Jobstown, NJ 08041-0007

SIR:

PLEASE TAKE NOTICE that on Monday, September 12, 2005 at 10:00 am Defendants Ross University Medical Center, Dr. Jorge Rios and Michelle Fried hereby move before the Honorable Joseph A. Greenaway, Jr., U.S.D.J., in accordance with Fed. R. Civ. Proc. 56 for summary judgment against the Plaintiff. In support of this application, Defendants shall rely upon the enclosed Defendants' L.Civ.R. 56.1 Statement, the Certification of Kathleen M.

Connelly, Esq., the Certification of Denise Sawitsch and the Brief in Support of Defendants' Motion for Summary Judgment.

Defendants request oral argument.

Lindabury, McCormick & Estabrook
Attorneys for Defendants

s/John H. Schmidt, Jr., Esq.

John H. Schmidt, Jr., Esq.

Dated: August 15 , 2005

CERTIFICATION OF MAILING

I certify that a true copy of the within Notice of Motion for Summary Judgment, Defendants' L.Civ..R.56.1 Statement, the Certification of Kathleen M. Connelly, Esq., Certification of Denise Sawitsch, and the Brief in Support of Defendant's Motion for Summary Judgment have been sent by Certified and Regular Mail Delivery to John Horton, *Pro se*, P.O. Box 7, Jobstown, New Jersey 08041-0007 on this date.

I further certify that the within Notice of Motion for Summary Judgment and supporting documents were filed via electronic filing with the Clerk of the United States District Court on this date.

s/John H. Schmidt, Jr., Esq.

John H. Schmidt, Jr.

Dated: August 15, 2005